

## Message Text

LIMITED OFFICIAL USE

PAGE 01 BELIZE 00120 101925Z

50

ACTION SCS-03

INFO OCT-01 ARA-06 ISO-00 SCA-01 L-02 H-02 PRS-01 (ISO) W

----- 115109

R 062235Z MAR 75

FM AMCONSUL BELIZE

TO SECSTATE WASHDC 3942

LIMITED OFFICIAL USE BELIZE 120

E.O. 11652: N/A

TAGS: CASC, BH (MOORE, ALTON WAYNE)

SUBJECT: AMCIT APPEAL AGAINST MURDER CONVICTION DENIED

1. ON FEBRUARY 27, 1975, A THREE JUDGE PANEL HEARD ALTON WAYNE MOORE'S APPEAL FROM HIS CONVICTION AND AUTOMATIC DEATH SENTENCE FOR THE MURDER OF WALTER PITTS IN 1973. MOORE WAS CAPABLY REPRESENTED BY PUBLIC DEFENDER DEREK COURTENAY.

2. ON MARCH 3, THE PANEL RULED THAT THE TRIAL JUDGE'S INTERVENTION AGAINST CRITICAL MEDICAL EVIDENCE SUPPORTING MOORE WAS INSUFFICIENT TO AFFECT THE JURY'S FINDING OF GUILTY AND CONSEQUENTLY INADEQUATE TO SUPPORT MOORE'S REQUEST FOR A NEW TRIAL.

3. MOORE'S FATE NOW LIES WITH GOVERNOR RICHARD POSNETT WHO, AFTER RECEIVING THE REPORT OF A "PREROGATIVE OF MERCY COMMITTEE," WILL REVIEW THE CASE AND DECIDE WHETHER OR NOT TO GIVE CLEMENCY. OF SEVEN MURDER CONVICTIONS FROM 1970 THROUGH 1974, ALL BUT THREE HAVE BEEN COMMUTED TO LIFE IMPRISONMENT. ALL THOSE EXECUTED HAD BEEN CONVICTED OF MURDERING POLICEMEN.

4. I RECOMMEND DEPARTMENT INSTRUCT ME TO MAKE APPROPRIATE REPRESENTATIONS TO THE GOVERNOR AND THE COMMITTEE, ASKING CLEMENCY FOR MOORE EQUIVALENT TO THAT GRANTED BRITISH SUBJECTS IN SIMILAR CIRCUMSTANCES. MY INCLINATION WOULD BE TO DO THIS IN A LETTER WHICH I WOULD DELIVER TO THE GOVERNOR IN PERSON ALONG WITH AN ORAL PRESENTATION IN A SIMILAR VEIN. AN IDENTICAL LETTER MIGHT BE SIMULTANEOUSLY DELIVERED TO THE COMMITTEE.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BELIZE 00120 101925Z

5. PROPOSED TEXT AS FOLLOWS:

ON MARCH 3, 1975, THE COURT OF APPEALS AFFIRMED THE MURDER CONVICTION AND SENTENCE OF MR. ALTON WAYNE MOORE, A CITIZEN OF THE UNITED STATES OF AMERICA. I UNDERSTAND THAT THE DECISION WHETHER OR NOT TO GRANT THE MERCY OF CLEMENCY NOW FALLS UPON YOUR EXCELLENCY AFTER RECEIPT OF THE FINDINGS OF THE PREROGATIVE OF MERCY COMMITTEE.

THE EVIDENCE ON WHICH MR. MOORE WAS CONVICTED WAS CIRCUMSTANTIAL IN NATURE, AND, AS ACKNOWLEDGED BY THE TRIAL JUDGE IN HIS INSTRUCTIONS TO THE JURY, CONTAINED CONTRADICTORY TESTIMONY BY KEY PROSECUTION WITNESSES.

I HAVE BEEN INSTRUCTED BY THE DEPARTMENT OF STATE RESPECTFULLY TO EXPRESS THE LATTER'S CONFIDENCE THAT MR. MOORE WILL BE ACCORDED THE SAME CONSIDERATION FOR CLEMENCY AS YOUR EXCELLENCY WOULD GIVE A BRITISH SUBJECT IN SIMILAR CIRCUMSTANCES. GAWF

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975BELIZE00120  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750084-0111  
**From:** BELIZE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750378/aaaacrwn.tel  
**Line Count:** 79  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION SCS  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 SEP 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04 SEP 2003 by ellisoob>; APPROVED <26 NOV 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** AMCIT APPEAL AGAINST MURDER CONVICTION DENIED  
**TAGS:** CASC, BH, (MOORE, ALTON WAYNE)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006